

1 STEVEN G. KALAR  
Federal Public Defender  
2 NED SMOCK  
Assistant Federal Public Defender  
3 555 - 12th Street  
Suite 650  
4 Oakland, CA 94607-3627  
Telephone: (510) 637-3500  
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Counsel for Defendant HERNANDEZ  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR- 12-702 PJH
	)	
12 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER PERMITTING PASS FOR
13 vs.	)	DINNER
	)	
14 ERASMO HERNANDEZ,	)	
	)	
15 Defendant.	)	
_____	)	

16

17 On October 25, 2012, this Court ordered that Erasmo Hernandez be released from  
18 custody to reside at the home of his wife in Concord. The Court ordered that Mr.  
19 Hernandez would be subject to electronic monitoring and would be on lockdown.

20 Mr. Hernandez has been home for almost seven months. He has been confined to  
21 the house save for Narcotics Anonymous meetings and English language classes. This  
22 Court has also permitted him to spend one hour per day exercising outdoors.

23 Mr. Hernandez and his wife would like to go to dinner on Saturday, May 18, 2013.  
24 They will go to dinner in at the Black Angus restaurant in Pleasant Hill, and seek  
25 permission for Mr. Hernandez to be outside the home between 5:00 p.m. and 10:00 p.m. on  
26 that day for the dinner, allowing for traffic. Mr. Hernandez has been permitted to go to

1 dinner in the past without any incident.

2 Neither Mr. Hernandez's United States Pretrial Services Officer or the government  
3 object to this request.

4 Dated: May 15, 2013

/S/  
NED SMOCK  
Assistant Federal Public Defender

7 Dated: May 15, 2013

/S/  
CHINHAYI CADET  
Assistant United States Attorney

11  
12 **~~PROPOSED~~ ORDER**

13 Good cause appearing therefore, it is the ORDER of this Court that the release  
14 conditions of defendant Erasmo Hernandez shall be modified to permit him to go to dinner  
15 in Pleasant Hill on Saturday, May 18, 2013 between 5:00 p.m. and 10:00 p.m.

16 Dated: May <sup>16</sup>, 2013

  
HON. KANDIS WESTMORE  
United States Magistrate Judge